

**TOWN PLAN AND ZONING  
COMMISSION**

Issued: December 28, 2016

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING  
MONDAY, DECEMBER 5, 2016  
LEGISLATIVE CHAMBER, ROOM 314  
TOWN HALL, WEST HARTFORD, CT 06107**

**DRAFT MINUTES**

**ATTENDANCE:** Chair: Kevin Ahern; Vice Chair: Kevin Prestage; Commissioner:  
James Akin; Alternates: Mishone Donelson, Gordon Binkhorst, Liz Gillette;  
Staff: Todd Dumais, Town Planner; Catherine Dorau, Associate Planner

**ABSENT:** Commissioners: John O'Donnell, Michele Maresca

\*\*\*\*\*

**CALL TO ORDER/ROLL CALL: 7:00 P.M.**

\*\*\*\*\*

**MINUTES:**

1. Approval of Minutes:
  - a. Minutes of the Regular Meeting, Wednesday, October 5, 2016.  
*Motion/Prestage; Second/Ahern; Vote 4-0; Voting: Ahern, Prestage, Akin, Alternate: Binkhorst*
  - b. Minutes of the Regular Meeting, Monday, November 7, 2016.  
*Motion/Ahern; Second/Prestage; Vote 3-0; Voting: Prestage, Akin, Gillette*

\*\*\*\*\*

**COMMUNICATIONS:**

2.

\*\*\*\*\*

**NEW BUSINESS:**

3. **107 Hillcrest Avenue**- Application (IWW #1049) by AECOM on behalf of The Metropolitan District (MDC) (Central Connecticut Associates, LLC, record owner) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford for property located at 107 Hillcrest. The proposed amendment is based on an



TOWN OF WEST HARTFORD

**TOWN OF WEST HARTFORD**  
50 SOUTH MAIN STREET  
WEST HARTFORD, CONNECTICUT 06107-2431  
(860) 561-7555 FAX: (860) 561-7504  
[www.westhartfordCT.gov](http://www.westhartfordCT.gov)

*An equal Opportunity/Affirmative Action Employer*

on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on December 5, 2016. Suggest required public hearing be scheduled for January 4, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ/IWWA acted by **unanimous vote (5 -0)** (*Motion/Prestage; Second/Ahern*) (*Donelson seated for Maresca*) (*Binkhorst seated for O'Donnell*) to schedule this matter for public hearing on **January 4, 2017 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

\*\*\*\*\*

4. **107 Hillcrest Avenue-** Application (IWW #1050) by AECOM on behalf of The Metropolitan District (MDC) (Central Connecticut Associates, LLC, record owner) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a watercourse (Piper Brook). The applicant proposes construction of the Newington Trunk Sewer High Outlet Relief (NTS HOR) Structure. No direct impacts to wetland or watercourse resources will occur as a result of the proposed modification plan. (Submitted for IWWA receipt on December 5, 2016. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **vote (5-0)** (*Motion/Prestage; Second/Donelson*) (*Donelson seated for Maresca*) (*Binkhorst seated for O'Donnell*) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **January 4, 2017 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

\*\*\*\*\*

5. **35 Walker Lane-** Application (IWW #1051) of Juliano's Pools (Elizabeth Garner and Theresa MacKinnon, Record Owners) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland regulated area. The applicant proposes to construct an approximately 38' x 21' in-ground swimming pool with a 4' high safety fence with self-closing and self-latching gate and 3' concrete perimeter around the pool. (Submitted for IWWA receipt on December 5, 2016. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (0 -5)** (*Motion/ Akin; Second/Gillette*) (*Gillette seated for Maresca*) (*Donelson seated for O'Donnell*) and the motion for the proposed activity to be considered potentially significant **FAILED**. The proposed activity is therefore deemed **NON-SIGNIFICANT** and the IWWA directed that the wetland permit be issued subject to full compliance with Town Erosion and Sedimentation Control requirements.

\*\*\*\*\*

6. **119 South Street-** Application (SUP #1296) of Elm-Cap Industries, Inc. (119 South Street, LLC Record Owner) requesting Special Use Permit approval for the installation of two separate crematory units for the cremation of human remains; one (1) Matthews PowerPak I,

and one (1) Matthews PowerPak II. (Submitted for TPZ receipt on December 5, 2016. Suggest required public hearing be scheduled for January 4, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (*Motion/Prestage; Second/Binkhorst*) (*Binkhorst seated for Maresca*) (*Gillette seated for O'Donnell*) to schedule this matter for public hearing on **January 4, 2017 at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.**

\*\*\*\*\*

### **OLD BUSINESS:**

7. **7 South Main Street-** Application (SUP #1271-R1-16) of SB Andrews Company, LLC and applicant Smbat Sarkisyan (Sam's Gyro) requesting TPZ review of compliance with the conditions of SUP #1271 approved May 4, 2015 to authorize a 16-seat outdoor dining area. (Submitted for TPZ receipt on November 7, 2016. Suggest required public hearing be scheduled for December 5, 2016.)

After a review of the application and its related exhibits and after consideration of staff technical comments and the public hearing record, the TPZ acted by **unanimous vote (5-0)** (*Motion/Prestage; Second/Binkhorst*) (*Donelson seated for Maresca*) (*Binkhorst seated for O'Donnell*) to **APPROVE** this application. It was determined that the Special Use Permit did not require additional conditions of approval.

\*\*\*\*\*

### **TOWN COUNCIL REFERRALS AND REQUEST FOR REPORTS:**

8. **1043 Farmington Avenue-** Application (SDD #147) on behalf of Tongjan Properties, LLC, to rezone 1043 Farmington Avenue, from RMO, Residential/Multifamily-Office, to RO, Residence-Office and then to designate the rezoned parcel as a special development district. The applicant requests the use of the second floor for professional office space. The third floor will be used as a storage space. The residential appearance of the building will not be changed as a result of this zone change request (Town Council Receipt on October 25, 2016. TPZ receipt on December 5, 2016. Town Council public hearing scheduled for December 13, 2016.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **majority vote (3-2)** (*Motion/Prestage; Second/Donelson Seder*) (*Donelson seated for O'Donnell, Gillette seated for Maresca*) (*Akin and Gillette voting "nay"*) to **RECOMMEND APPROVAL** of the subject application.

1. Those voting yea believe that proposed rezoning to RO, coupled with an SDD, amounts to an incremental change from the preexisting, longstanding commercial usage and zoning of the property.

2. In addition, those voting yea believe that proposed request is consistent with the purpose of the Residence-Office district and the use of other SDD/RO overlay districts in the neighborhood.
3. Those voting nay felt that the request amounted to additional commercial creep of business zoning and uses westward from the Center.

\*\*\*\*\*

9. **Sedgwick Road-** Resolution authorizing the town manager to execute a lease of certain land at Sedgwick Road (Town Council Receipt on November 9, 2016. TPZ receipt on December 5, 2016.)

After a detailed review of the resolution, the TPZ acted by **unanimous vote (5-0)** (Motion/Gillette; Second/Ahern) (Binkhorst seated for Maresca) (Gillette seated for O'Donnell) to **RECOMMEND APPROVAL.**

\*\*\*\*\*

10. **Park Road/I-84 Improvements-** Resolution authorizing the town manager to obtain easements from the State of Connecticut, Department of Energy and Environmental Protection, for the Town of West Hartford Park Road/I-84 Improvements (Town Council Receipt on November 9, 2016. TPZ Receipt on December 5, 2016.)

After a detailed review of the resolution, the TPZ acted by **unanimous vote (5-0)** (Motion/Prestage; Second/Donelson) (Donelson seated for Maresca) (Binkhorst seated for O'Donnell) to **RECOMMEND APPROVAL.**

\*\*\*\*\*

#### **TOWN PLANNER'S REPORT:**

#### **INFORMATION ITEMS:**

#### **REMINDER OF FUTURE TPZ REGULAR AND SPECIAL MEETINGS:**

- TPZ Regular Meeting, Wednesday, January 4, 2017 @ 7:00 P.M.
- TPZ Regular Meeting, Monday, February 6, 2017 @ 7:00 P.M.
- TPZ Regular Meeting, Monday, March 6, 2017 @ 7:00 P.M.

**ADJOURNEMENT:** *Motion to adjourn/Gillette; Second/Prestage; Vote 5-0 (Gillette Seated for O'Donnell) (Donelson seated for Maresca). Meeting adjourned at 8:00 P.M.*

***"Any individual with a disability who needs special assistance to participate in the meeting should contact Social Services Department, 860.561.7561, five days prior to the meeting."***